

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

MONEC HOLDING AG,

Plaintiff/Counterclaim Defendant,

v.

APPLE INC.,

Defendant/Counterclaimant.

Civil Action No. 1:09-CV-00312-LMB-JFA

**MONEC HOLDING AG'S
NOTICE OF APPEAL**

Notice is hereby given that Plaintiff/Counterclaim Defendant Monec Holding AG in the above named case hereby appeals to the United States Court of Appeals for the Federal Circuit from both (a) the trial court's order granting summary judgment in favor of Defendant Apple Inc. [trial court docket # 53] entered in this action on July 17, 2009 and (b) the final judgment [trial court docket # 56] entered in this action on July 22, 2009.

Respectfully submitted:

/s/ Joseph D. Wilson

Joseph D. Wilson (VSB #43693)
KELLEY DRYE & WARREN LLP
Washington Harbour, Suite 400
3050 K. Street, NW
Washington, DC 20007
Telephone: (202) 342-8400
Facsimile: (202) 342-8451
Email: jwilson@kelleydrye.com

Steven J. Moore (*pro hac vice*)
Delphine W. Knight Brown (*pro hac vice*)
Kelley Drye & Warren LLP
400 Atlantic Street
Stamford, CT 06901
Telephone: (203) 324-1400
Facsimile: (203) 327-2669
Email: smoore@kelleydrye.com
dkbrown@kelleydrye.com

*Counsel for Plaintiff/Counterclaim Defendant
MONEC Holding AG*

Dated: August 21, 2009

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of August, 2009, I caused the foregoing Plaintiff/Counterclaim Defendant Monec Holding AG's Notice of Appeal to be electronically filed using the Court's CM/ECF system, which will then send a notification of such filing (NEF), and served a copy of the same by email before 5:00 p.m. and postage prepaid United States mail, to the following counsel for Defendant/Counterclaimant Apple Inc.:

John P. Corrado
MORRISON & FOERSTER LLP
1650 Tysons Boulevard, Suite 300
McLean, VA 22102
Telephone: (703) 760-7700
Facsimile: (703) 760-7777
E-mail: jcorrado@mofo.com

/s/ Joseph D. Wilson
Joseph D. Wilson (VSB # 43693)
KELLEY DRYE & WARREN LLP
Washington Harbour, Suite 400
3050 K Street, N.W.
Washington, DC 20007
Telephone: (202) 342-8400
Facsimile: (202) 342-8451
E-mail: jwilson@kelleydrye.com

*Counsel for Plaintiff/Counterclaim
Defendant MONEC Holding AG*